

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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LARRY JACOBSEN, as Chairman of the Joint Industry  
Board of the Electrical Industry,

Plaintiff,

— against —

LINA ELECTRIC CORP. and ANTE KRSLOVIC,

Defendants.  
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**MEMORANDUM and ORDER**

05-CV-2418 (SLT)(SMG)

**TOWNES, United States District Judge:**

Plaintiff, Chairman of the Joint Industry Board of the Electrical Industry (“JIB”), brings this action against Lina Electric Corp. and Ante Krslovic pursuant to the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C. §§ 1132 and 1145. Plaintiff seeks to recover contributions allegedly owed by defendants to various employee benefit plans administered by JIB. By Memorandum & Order dated September 29, 2006, this Court found defendants liable, based on their default in this action, for the monies owed pursuant to a 2003 Stipulation and amendments thereto, and for a 2004 audit deficiency. However, this Court denied plaintiff’s motion for default judgment without prejudice due to inadequacies with plaintiff’s application for damages. On October 15, 2007, this Court referred plaintiff’s amended motion for default judgment to Magistrate Judge Steven M. Gold for a Report and Recommendation (“R&R”) on the amount of damages and other relief to be afforded.

Magistrate Judge Steven M. Gold has issued his R&R advising this Court to award plaintiff’s attorneys fees, costs and damages. Defendants have failed to file any objections. Accordingly, the Court has reviewed the R&R for clear error on the face of the record. *See* Advisory Comm. Notes to Fed. R. Civ. P. 72(b); *accord Edwards v. Town of Huntington*,

No. 05-cv-339 (NGG) (AKT), 2007 U.S. Dist. LEXIS 50074, at \*6 (E.D.N.Y. July 11, 2007); *McKoy v. Henderson*, No. 05-cv-1535 (DAB), 2007 U.S. Dist. LEXIS 15673, at \*1 (S.D.N.Y. March 5, 2007). Having reviewed the record, I find no clear error. I hereby adopt the R&R, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Therefore, the Clerk of Court is directed to enter judgment in favor of plaintiff.

SO ORDERED.

Dated: Brooklyn, New York  
March 31, 2008

*Sandra L. Townes*

SANDRA L. TOWNES  
United States District Judge